

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.10334 of 2021

O R D E R:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioners – Accused No.1 & 2 in connection with Crime No.155 of 2021 of Mahadevpur Police Station, Jaishankar Bhupalpally District, registered for the offences punishable under Sections 307, 324 r/w 34 of IPC seeking bail.

2. A report was lodged by the *de facto* complainant stating that petitioners and A-3 hatched a plan to kill her husband and on 30.11.2021 when the husband of *de facto* complainant was going to water plant, they followed him and on the instructions of A-3, petitioners attacked him with sticks, beat him, caused severe injuries and when the son of *de facto* complainant tried to rescue his father, they also beat him and caused injuries. Basing on the said report, the present crime was registered.

3. Heard M/s Pillix Law Firm, learned counsel for petitioners and learned Assistant Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for petitioners submits that petitioners are arrayed as A-1 and A-2 and alleged to have committed the offences punishable under Sections 307, 324 r/w 34 of IPC. He submits that there are civil dispute between the parties since long time, as such petitioners were implicated in this case and even as per the revenue records, petitioners are in possession of the land and when *de facto* complainant and others interfered with their

possession, entered into their land and beat the petitioners. He submits that petitioners also went to police station, where they were detained till 3.00 a.m. and later the present crime was registered at the instance of complainant. He submits that petitioners are languishing in jail since 30.11.2021, as such their case may be considered for grant of bail.

5. *Per contra*, learned Assistant Public Prosecutor submits that investigation is pending, so far four witnesses were examined and the complainant has sustained grievous injuries and at this stage, petitioners are not entitled for bail.

6. Taking into consideration the fact that there are civil dispute between the parties and the petitioners are languishing in jail from the last 36 days, this Court deems it appropriate to enlarge the petitioners on bail, however on certain conditions.

7. In the result, criminal petition is allowed and the petitioners / A-1 and A-2 shall be enlarged on bail in connection with Crime No.155 of 2021 of Mahadevpur Police Station, Jaishankar Bhupalpally District on their executing each a bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the satisfaction of VI Additional Sessions Judge, Godhavari khani. The petitioners shall cooperate with investigation and shall not threaten or influence the witnesses.

LALITHA KANNEGANTI, J

5th January, 2022

PVD

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

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05.01.2022

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